REICH REICH & REICH, P.C. Attorneys for Debtor 235 Main Street, 4<sup>th</sup> Floor White Plains, NY 10601 (914) 949-2126 By: Lawrence R. Reich (LR-9337)

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:

Chapter 11 Case

NATIONWIDE MAINTENANCE and GENERAL CONTRACTING, INC.

Debtor.

## LOCAL RULE 1007 AFFIDAVIT

STATE OF NEW YORK )
COUNTY OF WESTCHESTER )ss.:

Marcie Manfredonia, being duly sworn, deposes and says:

- 1. I make this affidavit as President of the Debtor pursuant to Rule 1007 of the Local Rules of the U.S. Bankruptcy Court for the Southern District of New York and in support of its petition under Chapter 11 of the Bankruptcy Code.
- 2. This case was not originally commenced under Chapter 7; thus, no Trustee has been appointed. There is no prior bankruptcy case now or previously pending in respect of the Debtor.
- 3. The principal business of the Debtor is the business of general repairs and maintenance. The filing of the this Chapter 11 case was necessitated by cash flow problems of the Debtor due to general economic condition in the construction industry and inability to collect accounts receivables. The protection afforded the Debtor under the United States Bankruptcy

Code ("Code") will provide the Debtor with the opportunity to reorganize its business and to deal with its financial difficulties pursuant to the rights granted to it by the Code.

- 4. No action or proceeding is pending or threatened against the Debtor where a judgment against the Debtor or a seizure of its property may be imminent other than as described in the previous paragraph.
- 5. The location of Debtor's books and records is 175 Main Street, Suite 202, Mount Kisco, NY 10549.
- 6. The Debtor desires to obtain the ability to continue the operation of its business as a debtor-in-possession pursuant to the provisions of Code Sections 1107 and 1108.
- 7. The names and addresses of the known creditors are listed in and attached to the petition.
- 8. Attached to the petition is a list of the holders of the 20 largest unsecured claims, including their names, addresses, telephone numbers, persons familiar with the accounts, if any, the amount of the claims and an indication of whether the claims are contingent, unliquidated, disputed, or partially secured.
  - 9. There are no secured claims.
- 10. A summary of the Debtor's estimated assets and liabilities follows:
  - 1. Assets: \$427,623.87
  - 2. Liabilities: \$465,027.58

- \* Estimated and subject to revision upon completion and filing of schedules within the allowed 15 day period for filing of schedules.
- 11. There are no publicly held shares of stock, debentures or other securities.
- 12. None of the Debtor's property is in the possession or custody of any custodian, public officer, mortgagee, pledgee, assignee of rents, or secured creditor or agent for any such entity, except as set forth in paragraph "3" above.
- 13. The Debtor owns, leases or holds the following premises:

The Debtor leases office space at 175 Main Street, Suite 202, Mount Kisco, NY 10549 from Seashell Realty, LLC, 165 Main Street, Mount Kisco, New York 10549 - \$1,400.00 per month rent with a security deposit in the amount of \$2,800.00 - Term of lease Commenced in July 2009 - July 2012.

The Debtor leases garage space for parking and storage at 3907 Merritt Avenue, Bronx, New York - from  $1605 \ E. \ 233^{rd} \ Street.$  Realty Corp., 3920 Merritt Avenue, Bronx, New York - \$1,500.00 rent for a month-to-month lease.

- 14. The Debtor's senior management is as follows:
- a. Marcie Manfredonia, President and 100% stockholder; tenure approximately 16 years; responsibilities include the day-to-day operation of the Debtor.
- 15. The estimated amount of the monthly gross payroll to employees exclusive of officers and directors for the 30 day period following the filing of the Chapter 11 petition is approximately \$61,500.00. No payments to any consultants are contemplated during the next thirty days. The estimated amount

of the monthly gross payroll to the officer (Marcie Manfredonia) of the Debtor for the 30 day period is \$19,600.00.

- 17. The estimated amount of the monthly expenses for operating expenses is \$129,712.55, inclusive of rent and payroll.
- 18. For the 30-day period following the filing of the Chapter 11 petition, it is estimated that the cash receipts will total approximately \$48,000.00.

Marcie Manfredonia

Sworn to before me this 25<sup>th</sup> day of September, 2009

JOANNE PRICE
Notary Public, State of New York
No. 01PR6046007
No. 01PR6046007

No. 01PR6046007
Qualified in Dutchess County
Commission Expires August 7, 20 /0